

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice
Of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities which may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Board) issue or deny Certification for discharges within their geographical jurisdiction. The State Water Resources Control Board has this responsibility for projects affecting waters within multiple RWQCB jurisdictions. The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State's Certification Program.

Applicant: U.S. Army Corps of Engineers, San Francisco District Office

Applicant Contact: Greg Brown
Telephone: (415) 503-6791
Email: Gregory.G.Brown@usace.army.mil

Project Name: US Army Corps of Engineers, Regulatory Branch, San Francisco District (SFD) Proposal for Regional General Permit (RGP) 5 for Emergency Repair and Protection Projects (Corps File Number 28218S)

Affected Region: Army Corps of Engineers San Francisco District

Project Description: The San Francisco District (District) of the US Army Corps of Engineers is proposing to re-issue its Regional General Permit (RGP) 5 which will allow fill discharges into waters of the United States within the District for repair or protection activities in emergency situations. An "emergency situation" is where there is a clear, sudden, unexpected, and imminent threat to life or property demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services (i.e., a situation that could potentially result in an unacceptable hazard to life or a significant loss of property if corrective action requiring a permit is not undertaken immediately). Formal approval from the District is required **before** taking action under the RGP's authority and a post construction report is required **after** the work is completed.

State Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Darren Bradford at (916) 341-

5558, or at dbradford@waterboards.ca.gov, or Bill Orme at (916) 341-5464, or at <mailto:borme@waterboards.ca.gov> within 21 days of the posting of this notice.

Date Posted: October 9, 2008

State Water Resources

Control Board Staff Contact:

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State Water Resources Control Board
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Note: No regulatory decision on the application is implied or intended in this public notice.